

cially exempted, to pay for the killing of such wolves and other wild animals, and to repeal all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BRACHFIELD, Chairman.

PUBLIC BUILDINGS AND GROUNDS.

Committee Room,

Austin, Texas, Feb. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Public Buildings and Grounds, to whom was referred Senate bill No. 161, a bill to be entitled "An Act to set aside certain rooms in the Capitol Building for the use of the Department of Public Health and Vital Statistics, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

GLASSCOCK, Chairman.

ROADS, BRIDGES AND FERRIES,

Floor Report.

February 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 374, a bill to be entitled "An Act to create a more efficient road system for Smith county, * * * etc.

Have had the same under consideration, and we report it back to the Senate with the recommendation that it do pass, but not printed.

GRINNAN, Chairman.

PUBLIC LANDS AND LAND OFFICE.

Committee Room.

Austin, Texas, Feb. 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Public Land and Land Office, to whom was referred House bill No. 87, a bill to be entitled "An Act to amend Sections 1, 3 and 4, of Chapter 97, page 127, Acts of the regular session of the

Twenty-eighth Legislature, authorizing the sale of certain portions of the public free school, University and asylum lands to railroad companies owning, operating or constructing railroads in this State for the location and establishment of town sites, depots, stations, yards, roundhouses, shops, divisional terminals or water stations, and to prescribe the terms and conditions of such sale, to authorize the Commissioner of the General Land Office or the Board of Regents of the State University, as the case may be, to fix the price of such lands when sold for such purposes,"

Have had the same under consideration, and I am instructed to report to the Senate with the recommendation that it do pass.

DECKER, Acting Chairman.

THIRTY-FIRST DAY.

Senate Chamber,

Austin, Texas,

Thursday, Feb. 23, 1905.

Senate met pursuant to adjournment, Lieutenant Governor Neal in the chair.

Roll call, no quorum present, the following Senators answering to their names:

Beaty.	Harper.
Brachfield.	Hawkins.
Decker.	Hicks.
Faulk.	Holland.
Faust.	Looney.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.

Absent.

Barrett.	McKamy.
Chambers.	Meachum.
Davidson.	Paulus.
Hale.	Stafford.
Hill.	Stokes.
Martin.	

There being no quorum, Senator Hanger moved a call of the Senate for the purpose of securing a quorum. The call was duly seconded and the roll was called, the following Senators answering to their names:

Beaty.	Harper.
Brachfield.	Hawkins.
Decker.	Hicks.
Faulk.	Holland.
Faust.	Looney.
Glasscock.	Skinner.
Griggs.	Smith.

Grinnan.
Hanger.
Harbison.

Stone.
Terrell.
Willacy.

Absent.

Barrett.
Chambers.
Davidson.
Hale.
Hill.
Martin.

McKamy.
Meachum.
Paulus.
Stafford.
Stokes.

ABSENTEES.

Senators Barrett, Chambers, Davidson, Hale, Hill, Martin, McKamy, Meachum, Paulus, Stafford and Stokes.

The Sergeant-at-Arms was instructed to bring in enough Senators to make a quorum.

Senator McKamy being announced at the door of the Senate, the Chair announced a quorum present.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Faulk the same was dispensed with.

EXCUSED.

On motion of Senator Glasscock, Senator Hill was excused from attendance upon the Senate for Tuesday, yesterday and today, on account of business.

On motion of Senator Faulk, Senator Stokes was excused from attendance upon the Senate for yesterday and today, on account of business.

On motion of Senator Terrell, Senator Chambers was excused from attendance upon the Senate Tuesday, yesterday and today, on account of business.

On motion of Senator Faust, Senator Barrett was excused from attendance upon the Senate yesterday, on account of business.

HOUSE MESSAGE.

Hall of the House of Representatives,
Twenty-ninth Legislature.

Austin, Texas, February 23, 1905.

Hon. George D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 390, a bill to be entitled "An Act creating a more efficient road system for Comanche county, Texas," with engrossed rider.

Senate bill No. 132, a bill to be entitled "An Act to create a more effi-

cient road system for Henderson county, Texas," with amendments.

Respectfully,
BOB BARKER,

Chief Clerk, House of Representatives.
Read and referred to Committee on Roads, Bridges and Ferries.

PETITIONS AND MEMORIALS.

By Senator Martin:

Meridian, Texas, February, 20, 1905.

To the Members of the Legislature of Texas:

We, the undersigned members of the Meridian bar, having learned through the daily press that there has been a bill introduced in the Legislature providing for the creation of a judicial district in Hill county, and placing Johnson and Bosque counties into and composing the Eighteenth Judicial District, and being opposed to said change, desire to now here enter our objections and protests against the passage of said bill, and for reasons for such opposition and protest submit the following facts for the consideration of the Legislature:

1. The present Eighteenth Judicial District is composed of Hill, Johnson and Bosque counties and the law now provides for the terms of the district courts therein as follows: Hill County—A term commencing on the third Monday in August and continue until and including Saturday before first Monday in November. A term commencing on fourteenth Monday after the first Monday in November and continue until and including Saturday before the first Monday in April. A term commencing on the fourteenth Monday after the first Monday in April and continue until and including Saturday before the third Monday in August. Johnson County—Two terms per year, commencing on the fifth Monday after the first Monday in November and April and may continue in session nine weeks. Bosque County—Two terms per year, commencing on the first Mondays in November and April of each year and may continue five weeks.

2. In Bosque county, we know the time now allotted is amply sufficient for the disposition of all its business.

3. We are reliably informed that the time now allotted to Johnson county is sufficient for the disposition of its business.

4. We believe that the time now allotted to Hill county is sufficient for the disposition of its business, or at least is amply sufficient time for the dispatch of all its business when once up with the docket.

5 We are reliably informed that the term of court provided for in Hill county, commencing on the fourteenth Monday after the first Monday in April, has never been held.

6. Revised Statutes, Article 1113, provides in substance that whenever, in the opinion of the judge of any district, there is an accumulation of business in any county in his district which can not be disposed of at the regular terms of the court, such judge may order a special term or terms for the disposition of such accumulated business.

7. We are reliably informed, and it will not be disputed, that no request has ever been made of the judge of said district to order a special term in said Hill county, and no such special term has ever been ordered or held in said county for the disposition of any accumulated business in said county.

8. From our experience and our information the business in this district has not increased during the last few years, but rather the number of contested cases has fallen off. There may be more cases filed than in former years, but investigation will, we think, prove that they are of a class not litigated cases or at least not such as to consume the time as formerly.

9. We therefore believe, and that is our information, that the present condition of the docket in Hill county is no more than a temporary accumulation of business such as is contemplated by Article 1113 above cited, and that such accumulation can be disposed of by a special term or terms to be ordered by the judge of said district, and that when once this accumulation is cleared away, the time now allotted will be fully sufficient.

10. In view of the fact that the state treasury is far behind at this time we do not believe it prudent or wise and we do not believe it necessary for the creation of a new district out of Hill county and a district out of Johnson and Bosque county.

11. If this bill should be passed, then we firmly believe that within one year after the court of Hill county shall commence business, it will be found that there is not enough business to run said court for half of the year, thus the judge thereof will be working less than six months and doing nothing the remainder of the year, but still drawing salary for twelve months. Again in the new Eighteenth district the time necessary to use in Johnson county, two terms of nine weeks each, and the time now used by Bosque county (more than used), of two terms of five weeks each, make a total of twenty-eight weeks in the year that the judge thereof would be kept busy,

or six months work and six months play, with twelve months pay.

12. We do not believe it necessary for the creation of a new district in the State to relieve this supposed condition of affairs, but rather than make a new district and create this extra expense at a time when the State revenues are insufficient to meet expenses, we suggest that the Eighteenth district be composed of Hill, and Johnson counties, giving Hill county two terms a year each of fourteen weeks, and Johnson county two terms each of nine weeks, thus insuring plenty of time for the disposition of all its business. Then add Bosque county to the Fifty-second district, now composed of Comanche, Hamilton and Coryell, thus giving in this new district ample time for the disposition of all its business. We are reliably informed that the present business in the Fifty-second district is not sufficient to take up the whole time and that Bosque can be added to that district and give five weeks terms and still leave a vacation for the judge of several weeks. This plan would permit the judge of the Eighteenth district to enjoy a six weeks vacation each year, and the judge of the Fifty-second district a like vacation. We express our willingness and desire to be placed in the Fifty-second district, rather than a new district should be created, but we believe the present Eighteenth district is not too large for a few years yet and that the conditions therein obtaining are not unbearable or burdensome, or at least, not to such extent as to call for a separate district.

We submit the above for the consideration of the members of the Legislature, and we pray that this petition be granted.

Respectfully,

E. B. ROBERTSON.
T. P. WORD.
N. R. MORGAN.
H. S. DILLARD.
JAMES M. ROBERTSON.
B. J. WORD.
P. S. HALE.
ED C. EDIGO.

BILLS AND RESOLUTIONS.

(Bills.)

By Senator Glasscock:

Senate bill No. 240, a bill to be entitled "An Act to amend Article 1114, Title XV, Chapter 3, of the Code of Criminal Procedure, relating to the pay of the jurors in criminal cases."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Harbison:

Senate bill No. 241, a bill to be entitled "An Act to regulate the sale of certain mill products, and to provide for violations thereof."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Hanger (by request):

Senate bill No. 242, a bill to be entitled "An Act to enable administrators, executors and trustees of any other state or territory to sell property belonging to said estates and to remove the proceeds to the court of such territory or state in which or through which the estate is being administered."

Read first time, and referred to Judiciary Committee No. 1.

By Senator McKamy:

Senate bill No. 243, a bill to be entitled "An Act to provide for the manner of issuance of municipal bonds and the sale thereof, prescribing penalties for the violation hereof, and to repeal Articles 466 and 918b, and 3995 of the Revised Statutes of 1895."

Read first time, and referred to Judiciary Committee No. 1.

Morning call concluded.

AMENDMENTS CONCURRED IN.

Senator Faulk called up

Senate bill No. 132, a bill to be entitled "An Act to create a more efficient road system for Henderson county."

And moved that the Senate concur in the House amendment, which amendment was to strike out Section 5 of the bill.

The motion to concur prevailed.

SENATE BILL NO. 47—POSTPONED.

The Chair laid before the Senate, on second reading,

Senate bill No. 47, a bill to be entitled "An Act to authorize the Gulf, Colorado and Santa Fe Railway company to purchase the railroads and all other property of the Cane Belt Railroad company, now owned and hereafter acquired, and to operate the same under the charter of the Gulf, Colorado and Santa Fe Railway company as part of its own line, with the right to extend the said road, and to construct branches therefrom by amendment of its charter under the General Laws of the State of Texas; and to authorize the corporation or corporations, person or persons, now or hereafter owning the said property, to sell the same to the Gulf, Colorado and Santa Fe Railway company, and until such purchase

is made to authorize the lease by the Gulf, Colorado and Santa Fe Railway company of the railroad and other properties of said other company."

Question being on the pending amendment by Senator Hawkins.

On motion of Senator Hanger further consideration of the bill was postponed till next Tuesday morning, and was made a special order after morning call.

SENATE BILL NO. 46—ENGROSSMENT OF.

On motion of Senator Glasscock the pending order of business (Senate bill No. 17) was suspended, and the Senate took up, out of its order, Senate bill No. 46.

The Chair laid before the Senate, on second reading,

Senate bill No. 46, a bill to be entitled "An Act to amend Article 2159, Title XXXIX, Chapter 25, of Revised Civil Statutes."

On motion of Senator Glasscock the committee substitute was adopted.

The bill was read second time, and ordered engrossed.

SENATE BILL NO. 17.

The Chair laid before the Senate, on second reading, as special order,

Senate bill No. 17, a bill to be entitled "An Act to inhibit owners, managers and lessees of billiard halls and tenpin and bowling alleys, and their clerks and employes, from permitting persons under twenty-one years of age to play in any game of billiards or pool, or roll upon any tenpin or bowling alley, or permit them to enter and remain in such place of business, whether intoxicating liquors are sold therein or not, and to provide a penalty for a violation of this act."

The question being on the motion by Senator Harper to table the amendment by Senator Hicks, which was pending. Senator Harper withdrew his motion, and

Senator Grinnan moved to reconsider the vote by which Senator Terrell's substitute amendment for the Hicks amendment was tabled.

(President Pro Tem. Hanger in the chair.)

The motion to reconsider was lost by the following vote:

Yeas—12.

Beaty.
Brachfield.

Harper.
Hawkins.

Faulk.	Holland.
Glasscock.	Looney.
Grinnan.	Smith.
Harbison.	Terrell.

Nays—12.

Barrett.	Martin.
Decker.	McKamy.
Faust.	Skinner.
Griggs.	Stafford.
Hanger.	Stone.
Hicks.	Willacy.

Absent.

Davidson.	Meachum.
Hale.	Paulus.

Absent—Excused.

Chambers.	Stokes.
Hill.	

Senator Stone offered the following amendment to the amendment:

Amend the amendment by inserting after the word "guardian" the following: "President or superintendent of any educational institution."

The amendment to the amendment was adopted.

Senator Harper offered the following substitute for the amendment:

Substitute for the amendment, after the word "business," in line 20: "Unless the person running such place of business has been notified that the parents or guardians do not object to such minor entering and remaining in such place of business."

Senator Hicks raised the point of order that the substitute was in substance the same as the amendment that was just voted down. The Chair overruled the point of order.

(Lieutenant Governor Neal in chair.)

Senator Hicks moved to table the substitute, and the same was lost by the following vote:

Yeas—12.

Barrett.	Hicks.
Beaty.	McKamy.
Decker.	Skinner.
Faust.	Stafford.
Griggs.	Stone.
Hanger.	Willacy.

Nays—12.

Brachfield.	Hawkins.
Faulk.	Holland.
Glasscock.	Looney.
Grinnan.	Martin.
Harbison.	Smith.
Harper.	Terrell.

Absent.

Davidson.	Meachum.
Hale.	Paulus.

Absent—Excused.

Chambers.	Stokes.
Hill.	

The vote being a tie, the Chair, Lieutenant Governor Neal, voted nay.

Question being on the adoption of the substitute amendment, and on that motion, Senator Hicks moved a call of the Senate. The motion being duly seconded, the roll was called, the following Senators answering to their names:

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Holland.
Decker.	Looney.
Faulk.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.

Absent.

Davidson.	Meachum.
Hale.	Paulus.

Absent—Excused.

Chambers.	Stokes.
Hill.	

ABSENTEES—NOT EXCUSED.

Senators Davidson, Hale, Meachum, Paulus.

SENATE BILL NO. 208—PAS-SAGE OF.

On motion of Senator Brachfield, the pending order of business (Senate bill No. 17) was suspended, and the Senate took up, out of its order, Senate bill No. 208.

The Chair laid before the Senate, on its second reading,

Senate bill No. 208, a bill to be entitled "An Act to fix the time of holding the courts in the Fourth Judicial District of Texas, and declaring an emergency."

On motion of Senator Brachfield, the committee report was adopted.

Bill read second time and ordered engrossed.

On motion of Senator Brachfield, the

constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Holland.
Decker.	Looney.
Faulk.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.

Absent.

Davidson.	Meachum.
Hale.	Paulus.

Absent—Excused.

Chambers.	Stokes.
Hill.	

The bill was read third time and passed by the following vote:

Yeas—24.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Holland.
Decker.	Looney.
Faulk.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stafford.
Hanger.	Stone.
Harbison.	Terrell.
Harper.	Willacy.

Absent.

Davidson.	Meachum.
Hale.	Paulus.

Absent—Excused.

Chambers.	Stokes.
Hill.	

Senator Brachfield moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SIMPLE RESOLUTION.

Senator McKamy offered the following resolution:

Whereas, House bill No. 22, known as the "intangible assets bill," now before the Senate, is a measure of great importance, and

Whereas, The committee having same in charge is anxious that the members of the Senate have an opportunity of studying said bill; therefore, be it

Resolved, That one hundred copies of said bill be printed.

The resolution was adopted.

HOUSE BIL NO. 425.

On motion of Senator Decker the pending order of business (Senate bill No. 17), was suspended, and the Senate took up, out of its order, House bill No. 425.

On motion of Senator Decker the Senate rule requiring committee reports to lay over for one day was suspended.

The Chair laid before the Senate on second reading

House bill No. 425, a bill to be entitled "An Act to attach the unorganized counties of Cochran and Hockley to Lubbock county for surveying purposes; to authorize and empower the commissioners court of Lubbock county to procure from the county surveyor's office of Crosby county and from the General Land Office of the State, all the records of files and surveys of lands in said unorganized counties, and certified copies of such records, and to repeal all laws and parts of laws in conflict herewith."

On motion of Senator Decker the committee report was adopted, which recommended that the bill be not printed.

The bill was read second time and passed to a third reading.

SENATE CONCURRENT RESOLUTION NO. 5—ADOPTION OF.

By Senator Faulk.

Whereas, The caption of Senate bill No. 62, as enrolled and presented to Governor, is thought to be defective in this: It states that it permits minors under the age of 9 years to be punished with the offense of perjury, whereas, the word "for" should be substituted for the word "with," thereby curing any real or apparent defect.

Therefore, be it Resolved by the Senate, the House concurring, that his excellency, the Governor, be requested

to return said bill to the House and Senate for correction.

The resolution was adopted.

PENDING BUSINESS—SENATE BILL NO. 17.

After recurring on pending business, Senate bill No. 17,

Senator Hicks, with the consent of the seconds, withdrew the motion by which the Senate was under call.

Senator Harper then, with unanimous consent, withdrew his substitute amendment, and

Senator Hicks then withdrew his amendment.

Senator Harper then offered the following amendment to the bill:

Amend the bill by adding after the word "days" in line 24, page 1, the following:

"Provided, the provisions of this act shall not apply to halls, gardens, places or games operated by associations, corporations, societies or clubs organized in good faith for social purposes or amusements, nor to halls, gardens or other public places owned, leased, or rented for any time to persons or parties for social purposes only.

"HICKS,
"HARPER."

The amendment was adopted.

Bill read second time and ordered engrossed.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Barrett.	Hawkins.
Beaty.	Hicks.
Brachfield.	Holland.
Decker.	Looney.
Faulk.	Martin.
Faust.	McKamy.
Glasscock.	Skinner.
Griggs.	Smith.
Grinnan.	Stone.
Harbison.	Terrell.
Harper.	Willacy.

Absent.

Davidson.	Meachum.
Hale.	Paulus.
Hanger.	Stafford.

Absent—Excused.

Chambers.	Stokes.
Hill.	

The bill was read third time and passed.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 104—PASSAGE OF.

On motion of Senator Stone the special order of business (Senate bill No. 169), was suspended, and the Senate took up, out of its order, House bill No. 104.

The Chair laid before the Senate on third reading,

House bill No. 104, a bill to be entitled "An Act making it an offense to be the proprietor, manager or in any way to have control of and run a public gaming house, and fixing a penalty therefor."

The bill was read third time and passed.

Senator Stone moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

(Senator Stafford in chair.)

SENATE BILL NO. 210—PASSAGE OF.

On motion of Senator Griggs, the pending order of business (Senate bill No. 169) was suspended, and the Senate took up, out of its order, Senate bill No. 210.

The Chair laid before the Senate, on third reading,

Senate bill No. 210, a bill to be entitled "An Act to amend Subdivision 1 of Article 3139, Chapter 1, Title LXII, of the Revised Statutes of the State of Texas, relating to qualifications of jurors, and declaring an emergency."

The bill was read third time and passed by the following vote:

Yeas—21.

Barrett.	Hicks.
Beaty.	Holland.
Brachfield.	Looney.
Decker.	Martin.
Faust.	McKamy.
Glasscock.	Smith.
Griggs.	Stafford.
Grinnan.	Stone.
Hanger.	Terrell.
Harbison.	Willacy.
Hawkins.	

Nays—3.

Faulk.
Harper.

Skinner.

Absent.

Davidson.
Hale.Meachum.
Paulus.

Absent—Excused.

Chambers.
Hill.

Stokes.

Senator Griggs moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 14—PASSAGE.

On motion of Senator Hawkins, the special order of business (House bill No. 67) was suspended, and the Senate took up, out of its order, House bill No. 14.

The Chair laid before the Senate, on second reading,

House bill No. 14, a bill to be entitled "An Act to authorize commissioners courts, city councils of incorporated cities and towns, and boards of trustees of independent school districts, to invest sinking funds in certain securities."

The bill was read second time and passed to a third reading. On motion of Senator Hawkins, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Barrett.
Beaty.
Brachfield.
Decker.
Faulk.
Faust.
Glasscock.
Griggs.
Grinnan.
Hanger.
Harbison.
Harper.Hawkins.
Hicks.
Holland.
Looney.
Martin.
McKamy.
Skinner.
Smith.
Stafford.
Terrell.
Willacy.

Absent.

Davidson.
Hale.
Meachum.Paulus.
Stone.

Absent—Excused.

Chambers.
Hill.

Stokes.

The bill was read third time, and passed by the following vote:

Yeas—23.

Barrett.
Beaty.
Brachfield.
Decker.
Faulk.
Faust.
Glasscock.
Griggs.
Grinnan.
Hanger.
Harbison.
Harper.Hawkins.
Hicks.
Holland.
Looney.
Martin.
McKamy.
Skinner.
Smith.
Stafford.
Terrell.
Willacy.

Absent.

Davidson.
Hale.
Meachum.Paulus.
Stone.

Absent—Excused.

Chambers.
Hill.

Stokes.

Senator Hawkins moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 67—PAS-
SAGE OF.

The Chair laid before the Senate, on its second reading,

House bill No. 67, a bill to be entitled "An Act to amend Article 950 of the Penal Code of the State of Texas, relating to the fraudulent disposition of mortgaged property, and prescribing penalties therefor," With engrossed rider.

Bill read second time and passed to a third reading.

On motion of Senator McKamy, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—20.

Barrett.
Beaty.
Brachfield.
Decker.
Faulk.
Faust.
Glasscock.
Griggs.
Grinnan.
Hanger.
Hawkins.Hicks.
Holland.
Looney.
Martin.
McKamy.
Skinner.
Smith.
Stafford.
Stone.
Willacy.

Nays—3.

Harbison. Terrell.
Harper.

Absent.

Davidson. Meachum.
Hale. Paulus.

Absent—Excused.

Chambers. Stokes.
Hill.

Senator Faulk offered the following amendment:

Amend by adding after the word "writing," in line 22, page 1, the following, "or arising by operation of law."

Senator Smith raised a point of order that the amendment was not germane to the bill.

Pending discussion of the point of order the Chair ruled that the amendment was germane.

(Lieutenant Governor Neal in the chair.)

Pending discussion of the amendment, on motion of Senator McKamy further consideration of the bill was postponed until tomorrow morning and made special order.

SIMPLE RESOLUTION.

By Senator Hanger:

Be it Resolved, By the Senate, that a committee of three be appointed by the President of the Senate, whose duty it shall be to investigate the absence from the Senate of the employees of the Senate without leave, and that the said committee report back the result of its investigation to the Senate.

The resolution was adopted, and

In accordance with the resolution the Chair appointed Senators Hanger, Decker and Willacy as the committee.

SENATE BILL NO. 52—MADE SPECIAL ORDER.

Senator Looney called up Senate bill No. 52, and moved that it be made a special order for next Tuesday.

Senator Looney also called up Senate bill No. 137, and moved that it be made a special order for the same day.

The motions prevailed.

SENATE BILL NO. 169—RESET.

On motion of Senator Skinner, Senate bill No. 169, the stenographers' bill,

and which was pending as a special order for today, was reset for next Wednesday and made a special order to follow other special orders.

ADJOURNMENT.

On motion of Senator Stone, the Senate, at 1:05 o'clock p. m., adjourned until tomorrow at 10 o'clock a. m.

APPENDIX A.

COMMITTEE REPORTS.

JUDICIARY NO. 1.

Committee Room,

Austin, Texas, February 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 71, a bill to be entitled "An Act to amend Article 3049 of Chapter 2, Title LVIII, Revised Civil Statutes of the State of Texas, relating to insurance and prescribing a penalty for failure to comply with same,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the accompanying Committee Substitute bill pass in lieu thereof.

HICKS, Chairman.

S. S. B. No. 71.) (By Committee. A bill to be entitled "An Act to amend Article 3049 of Chapter 2, Title LVIII, Revised Civil Statutes of the State of Texas, relating to insurance and prescribing a penalty for failure to comply with same."

Be it enacted by the Legislature of the State of Texas:

That Article 3049 of Chapter 2 of Title LVIII of the Revised Civil Statutes of the State of Texas be so amended as to hereafter read as follows, to wit:

Article 3049. Should said Commissioner be satisfied that the company applying for authority has in all respects fully complied with the law and that it has the required amount of capital stock, it shall be his duty to issue to such company a certificate of authority under the seal of his office, authorizing such company to transact insurance business, naming therein the particular kind of insurance, for the period of not less than three months

nor extending beyond the 31st day of December next following the date of such certificate. And if any insurance company organized under the law of any other State or country having obtained a certificate of authority from the Commissioner of Agriculture, Insurance, Statistics and History to do business in this State shall make an application for a change of venue or to move any suit or action to which it is a party heretofore or hereafter commenced in any court of this State to the United States District or Circuit Court or to any Federal court, the Commissioner of Agriculture, Insurance, Statistics and History shall not at the expiration of the certificate of authority of such insurance company to do business in this State renew and grant to such insurance company another certificate of authority to do business in this State for a period of three years from the expiration of the certificate of authority of said insurance company to do business in this State under which such insurance company has been doing business in this State, and such insurance company shall thereafter be prohibited from transacting business in this State until again duly authorized by law.

All laws and parts of laws in conflict herewith be and the same are hereby repealed.

Sec. 2. The fact that under the present law insurance companies doing business in this State, when sued in counties which have a Federal District Court, can and do remove such cases from the State to the Federal courts, thereby working a great hardship upon the citizens of such counties, creates an emergency and an imperative public necessity requiring that the constitutional rule which provides that all bills shall be read on three several days be suspended, and such rule is hereby suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

Austin, Texas, Feb. 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 234, a bill to be entitled "An Act to amend Article 942, Chapter 3, Title XXVII, of the Revised Civil Statutes of Texas, concerning the presentation of applications for writs of error to the Supreme Court, and the action of that court thereon."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Floor Report.

Austin, Texas, Feb. 23, 1905.

Hon. Geo. D. Neal, President of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 232, a bill to be entitled "An Act to amend Section 10, Chapter 29, of the General Laws of the State of Texas, passed at the regular session of the Twenty-sixth Legislature, relating to the compensation of the county commissioners when acting as road commissioners, and with an emergency clause."

Have had the same under consideration, and we report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.
DECKER,
BRACHFIELD,
GRINNAN,
STONE,
SKINNER,
FAULK,
GRIGGS.

Committee Room,

Austin, Texas, Feb. 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 22, a bill to be entitled "An Act on the subject of private Corporations for profit, * * * etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

HICKS, Chairman.

Committee Room,

Austin, Texas, Feb. 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 157, a bill to be entitled "An Act to require locomotive engineers to report to the county clerks live stock killed or injured by their engines, and to provide a penalty."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the accompanying committee substitute bill pass in lieu thereof.

HICKS, Chairman.

S. B. No. 157.) (By Committee.

A bill to be entitled "An Act to require locomotive engineers to report to their superintendents all live stock killed or injured by their engines, and to require such superintendents to re-

port same to county clerks, and to provide a penalty."

Be it enacted by the Legislature of the State of Texas:

Section 1. It shall be the duty of each locomotive engineer operating an engine in this State to report in writing to his superintendent all live stock killed or injured by his engine, of which he has knowledge, stating near which mile post such animal was struck, the kind of animal, giving color and such other description as may be necessary to identify such animal, to the best of his knowledge, and the said superintendent shall, after receiving such report from engineers, make the same report in writing, by due course of mail, to the county clerk of the county wherein the animal was struck.

Sec. 2. Any superintendent failing to comply with the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction be fined in any sum not exceeding twenty-five dollars.

Committee Room,

Austin, Texas, February 23, 1905.

Hon. George D. Neal, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred Senate bill No. 228, a bill to be entitled "An Act to define and prohibit the offense of obtaining transportation by common carriers of any property at less than the established rates, and to provide a penalty for such offence,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

M'KAMY, Chairman.

Committee Room,

Austin, Texas, February 22, 1905.

Hon. George D. Neal, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred Senate bill No. 239, a bill to be entitled "An Act to require railroad companies who shall accept any special law passed at this or any future session of the Legislature of the State of Texas carry free of charge members of the Legislature, certain State officials and sheriffs,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

M'KAMY, Chairman.

Committee Room,

Austin, Texas, February 23, 1905.

Hon. George D. Neal, President of the Senate.

Sir: Your Committee on County and County Boundaries, to whom was referred

House bill No. 425, a bill to be entitled "An Act to attach the unorganized counties of Cochran and Hockley to Lubbock county for surveying purposes; to authorize and empower the commissioners court of Lubbock county to procure from the county surveyor's office of Crosby county, and from the General Land Office of the State all the records of files and surveys of land in said unorganized counties and certified copies of such record; and to repeal all laws and parts of laws in conflict herewith,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that same be not printed.

HANGER, Chairman.

(By unanimous consent.)

Committee Room,

Austin, Texas, February 23, 1905.

Hon. George D. Neal, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 230, a bill to be entitled "An Act to permit persons liable to road duty in Comal county to pay three dollars a year in lieu of working the road and to exempt Comal from Article 4733 of the Revised Statutes of the State of Texas,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the same be not printed.

MARTIN, Chairman.

Committee Room,

Austin, Texas, Feb. 23, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Committee substitute bill No. 46, being "An Act to amend Articles 2159, 2164, 2170, 2171, 2174, Title XXXIX, Chapter 25, Revised Civil Statutes,"

And find the same correctly engrossed.

BARRETT, Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 201, being "An Act creating an independent school district, to be known as the Ballinger Independent School District, including within its limits the municipal corporation of the town of Ballinger, and to provide for the creation of a board of trustees

thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board."

And find the same correctly engrossed.

LOONEY, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 134, being "An Act to repeal all of Articles 1010c, 1010d, 1010e, 1010f and 1010g, Title XVIII, Chapter 13, of the Revised Civil Statutes of Texas."

And find the same correctly engrossed.

LOONEY, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 211, being "An Act to amend Chapter 2, Title XXI, of the Revised Statutes of the State of Texas, by adding thereto Article 650b, authorizing incorporation for two or more distinct purposes and separate franchise tax for each purpose, and with an emergency clause."

And find the same correctly engrossed.

LOONEY, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 21, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 210, being "An Act to amend subdivision I, of Article 3139, Chapter 1, Title LXII, of the Revised Statutes of the State of Texas, relating to qualifications of jurors, and declaring an emergency."

And find the same correctly engrossed.

LOONEY, Acting Chairman.

Committee Room,

Austin, Texas, Feb. 22, 1905.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Engrossed

Bills have carefully examined and compared.

Senate bill No. 122, being "An Act to change and prescribe the time for holding district courts in the Thirty-first Judicial District of this State, to conform all writs and processes from such courts to such changes and to repeal all laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.

LOONEY, Acting Chairman.

THIRTY-SECOND DAY.

Senate Chamber,

Austin, Texas,

Friday, February 24, 1905.

Senate met pursuant to adjournment, Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following senators answering to their names:

Barrett.	Hawkins.
Brachfield.	Hicks.
Decker.	Looney.
Faulk.	Martin.
Faust.	McKamy.
Glasscock.	Smith.
Griggs.	Stafford.
Grinnan.	Stone.
Hale.	Terrell.
Harbison.	Willacy.
Harper.	

Absent.

Beaty.	Holland.
Chambers.	Meachum.
Davidson.	Pau'us.
Hanger.	Skinner.
Hill.	Stokes.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Faust the same was dispensed with.

EXCUSED.

On motion of Senator Glasscock, Senator Hill was excused from attendance upon the Senate for today on account of business.

On motion of Senator Stone, Senator Stokes was excused from attendance upon the Senate for today on account of sickness.

On motion of Senator Faulk, Senator Skinner was excused from attendance upon the Senate for today on account of business.